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EAST TIMOR

SHORT-TERM DETENTION AND ILL-TREATMENT

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At least 25 East Timorese, most of them students, have been detained since October 1989 on the grounds that they took part in a series of pro-independence demonstrations. Many are said to have been released after questioning, but some are reported to have been ill-treated or tortured at the time of arrest and while in detention. It is believed that at least 10 remained in various military detention centres in December, though military and government authorities have denied that any are still in custody.

The recent wave of protests and arrests began with a demonstration during the visit of Pope John Paul II to East Timor on 12 October 1989, after which several people were detained and some reportedly tortured. Previous waves of arrest occurred in October and November 1988, around the time of a visit by Indonesian President Suharto, and again between April and June 1989.

This report summarizes evidence of a pattern of short-term detention, torture and ill-treatment of suspected or alleged political opponents of Indonesian rule in East Timor. Suspects are usually held in police or military detention centres for periods ranging between a few hours and several weeks and undergo physical and emotional abuse before being released without formal charge. A minority are held for longer periods but few are formally charged or tried.

This pattern of detention and ill-treatment may serve to intimidate real or suspected political opponents of the government. Many of those detained -- however briefly -- for their alleged part in pro-independence demonstrations since October may have been, or may still be, prisoners of conscience. In view of the consistent, recurrent pattern of torture and ill-treatment of political detainees in East Timor, those still in detention and those arrested under similar circumstances in the near future may be in danger of ill-treatment.

This paper describes several cases of the arrest and ill-treatment or torture of East Timorese students for what appeared to be political reasons. It describes the four main incidents -- on 12 October, 4 November, 14 November 1989 and 17 January 1990 -- during and after which these arrests and the ill-treatment occurred.

This summarizes an 8-page document, East Timor: Short-Term Detention and Ill-Treatment AI Index: ASA 21/02/90, issued by Amnesty International in January, 1990. Anyone wanting further details or to take action on this issue should consult the full document.

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EAST TIMOR: SHORT-TERM DETENTION AND ILL-TREATMENT

Introduction

At least 25 East Timorese, most of them students, have been detained since October 1989 for their alleged part in a series of pro-independence demonstrations. Many are said to have been released after questioning, but a number are reported to have been ill-treated or tortured at the time of arrest and while in detention. At least one person is said to have died when security forces dispersed an apparently peaceful demonstration in January 1990. It is believed that at least 10 remained in various military detention centres in December, though military and government authorities have denied that any remain in custody.

The recent wave of protests and arrests began with a demonstration during the visit of Pope John Paul II to East Timor on 12 October 1989, after which several people were detained and some reportedly tortured. Previous waves of arrest occurred in October and November 1988, around the time of a visit by Indonesian President Suharto and again between April and June 1989. Amnesty International has learned the names of over 200 East Timorese arrested on these occasions and has received dozens of reports alleging the torture and ill-treatment of detainees (See East Timor: Amnesty International Statement to the United Nations Special Committee on Decolonization, August 1989 ASA 21/11/89).

Most of those detained over the past year have been accused, either formally or informally, of association with Fretilin (Frente Revolucionario de Timor Leste), which has been waging a guerrilla war for independence since 1975, when Indonesian forces invaded East Timor in the aftermath of Portugal's withdrawal from its former colony. Nearly all reported political prisoners in East Timor over the past 14 years of de facto Indonesian rule have been similarly accused. These accusations, whether or not well-founded, have been effectively used to restrict the expression of opposition of any kind, violent and non-violent alike, to the government. Yet even where the allegations of association with Fretilin have some foundation, the unlawful execution, "disappearance" and torture of such detainees can only be condemned.

This paper highlights several cases of the arrest and ill-treatment of East Timorese students for what appeared to be their non-violent exercise of their freedom to hold opinions and to express them. It describes the four main incidents -- on 12 October, 4 November, 14 November 1989 and 17 January 1990 -- during and after which the arrests and ill-treatment occurred.

Patterns of Detention and Ill-treatment in East Timor

In the experience of Amnesty International, it is only after being formally charged that political prisoners are transferred to regular prisons under civilian control, such as LP Becora in Dili. Before they are charged or tried they may be held at a District or Sub-District Military Command (KODIM or KORAMIL), or in one of many unofficial detention centres. One such detention centre, recently used, is the home of a Timorese located in the Vila-Verde quarter of Dili. Others include the Wisma Senopati II, a guest house in Dili, and the premises of Nusra Bakti, a business with military connections. Like the Hotel Flamboyan in the town of Baucau, which has long been known as a clandestine interrogation center, these buildings are used by Indonesian military and intelligence authorities for unofficial incarceration and interrogation.

The ill-treatment and torture of people held in military detention centres has been a normal and consistent feature of Indonesian rule in East Timor. The forms of torture reported over the years include: beating and kicking; burning with lighted cigarettes; electrical shock; crushing the prisoners foot under a leg of the interrogator's chair; immersion in a tank of water for several hours at a stretch; forcing a prisoner to drink salt water; and sexual abuse. Treatment described by recent detainees in East Timor, whose cases are described here, has included electric shocks and systematic beatings.

Torture and other sorts of pressures or inducements are often used by Indonesian military and police authorities in order to extract confessions and information from political detainees. Detainees may also be induced to provide information about others in exchange for a release or a lighter sentence.

Amnesty International believes that claims by Indonesian government and military authorities, that "arrests" have not occurred in the last four months in East Timor, must be viewed against this background. Strictly speaking, those detained by the security forces may not have been arrested and they may not have been charged with a recognizable criminal offence. They may instead have been held in arbitrary unacknowledged detention. The explanation by the Indonesian authorities that certain people reported to have been detained had in fact only been "questioned by the security forces" or "asked for information" obscures the overall picture of detention and ill-treatment of political prisoners in East Timor. Whatever the terminology used, those held for interrogation in jails and detention centres are prisoners; their imprisonment, however brief, and their ill-treatment are a matter of serious concern.

Demonstrations and Arrests, October 1989

An estimated 20 East Timorese were reportedly detained for their alleged part in a pro-independence demonstration during the visit of the Pope to East Timor on 12 October. Although the majority were subsequently released, some of those detained were said to have been subjected to ill-treatment by members of the security forces, including electrical shocks

and beating. Several others who were among a group of 28 who sought refuge after the incident at the home of Bishop Carlos Filipe Ximenes Belo, the Apostolic Administrator of Dili, were reportedly detained "for questioning" when they left the residence. The names of six of those detained in connection with the 12 October demonstration are listed in Appendix A.

The first arrests took place shortly after the celebration of a mass by Pope John Paul II, one of several during his six day visit to Indonesia and East Timor, in which he made a strong appeal for the protection of human rights in East Timor. He said "Respect for the rights which render life more human must be ensured -- the rights of individuals and the rights of families. I pray that those who have responsibility for life in East Timor will act with wisdom and goodwill towards all." Speaking in Jakarta three days earlier, the Pope had implicitly criticized Indonesia's human rights record, saying "At times nations are tempted to disregard fundamental human rights in a misguided search for political unity based on military or economic power alone."

The demonstrators, many of them students, reportedly waved banners with messages like "Pope, Please save East Timor!", "Long Live East Timor!" and chanted slogans in favour of East Timorese independence from Indonesia, before being beaten back and detained by security forces. Eye-witnesses reported that police and military forces used batons to disperse the protesters.

Indonesian authorities said that the demonstrators were "high school students believed to be Fretilin sympathizers", but categorically denied the reports of arrest or ill-treatment. They claimed instead that "all persons demonstrating" had been "asked for information from security officers" and subsequently released. In November, Indonesian government sources revealed that one East Timorese arrested on 12 October in fact remained in custody but claimed that he was "seeking refuge" there from those who had "instructed" him to join the demonstration. East Timor's Governor Mario Carrascalao told a slightly different story. He said that one man had been held and might be charged for his alleged part in the 12 October demonstration; he did not reveal the name of the detainee or the charges which were envisaged. At the end of December 1989, another government official provided this summary: "Thirteen people were interrogated by security officials; 10 were immediately released; and three were asked to account for their action but were later released. The case is being investigated to determine if any law has been broken and if charges should be made."

Non-governmental sources reported that at least three of those detained on 12 October remained in custody at the end of the month, but had not been formally charged. Some were reportedly held in an unofficial detention centre or safe-house in the Vila-Verde quarter of Dili. According to reports, they were subjected to beatings and deprived of food. One prisoner is said to have been severely beaten and to have died in this safe-house in October, but this could not be confirmed. Some were released on the condition that they would report regularly to the authorities; a condition which leaves them vulnerable to re-arrest for further "questioning" at any time.

Twenty-eight East Timorese who feared arrest reportedly took refuge at the home of Bishop Belo, who has publicly criticized Indonesia's human rights record in the territory. On Sunday 15 October, he reportedly confirmed earlier reports of arrests and claimed that members of the security forces had used torture to extract confessions about the alleged role of the Catholic church in organizing the 12 October demonstration. He is reported to have said: "I am shocked that the Indonesian military is extracting false confessions under torture. The boys were trying to express their discontent with the situation in East Timor. It is a lie that the church was in any way involved in the demonstration."

According to reliable sources the 28 remained in Belo's residence for about two weeks. When they left under an arrangement between the Bishop and Governor Carrascalao, at the beginning of November, most were reportedly permitted to return home but at least six were said to have been detained for "questioning". It is believed that some of those were still being held at the end of the year. It was reported that they might be arraigned on 10 January 1990, but Indonesian government sources did not confirm this.

Demonstrations and Arrests, November 1989

4 November 1989

At least six people were said to have been held for questioning and some reportedly ill-treated after stones were thrown at passing military vehicles during an incident on 4 November 1989 in Dili. The incident involved supporters of Bishop Belo and a group protesting his having given sanctuary to anti-government demonstrators in October. Bishop Belo's supporters reportedly gathered outside his residence in Dili in response to reports that Indonesian army units and some East Timorese civilians were planning to force the withdrawal of the 28 students who had taken refuge there.

Among those detained were four high-school students **Antanasio** (17), **Antonio Castro** (20), **Jose Minas** (19) and another identified only as **Jose** (18). They were reportedly held at Nusra Bakti, a military detention centre near Dili, where they are said to have been beaten with heavy wooden sticks while under interrogation. Two others students, **Jose Manuel Fernandos** (20) and **Donaciano da Costa Gomes** (21), who were believed to be among those who carried banners at the 12 October demonstration, were arrested on 5 November and detained at the Wisma Senopati II, a guest house used as a military detention centre. Both were reportedly tortured with electric shocks after being doused with cold water. None were known to have been charged with acts of violence.

Several other teachers and students from the same school subsequently went into hiding because they feared similar treatment. By early December 16 people, some of them very young, had taken refuge at the Bishop's residence, in response to arrests of pro-independence activists in November.

14 November 1989

At least three students were detained and two were badly beaten after Indonesian security forces entered a high-school in Dili in search of people suspected of involvement in the 12 October demonstration and subsequent incidents.

According to reports, fully armed units of the Indonesian army surrounded and attempted to enter the premises of the Externato San Jose, a Catholic high-school in Dili alleged by military intelligence to be a centre of underground activity and sympathy for Fretilin. The army units -- which included elements from the District Military Command (KODIM), the Military Police and four platoons of the 744 Battalion -- reportedly advanced toward the school with bayonets fixed and fired their weapons at least three times into the air. Students and teachers protested against this intervention; some threw rocks at the soldiers while the younger children and women took cover in the convent attached to the school.

When the soldiers entered the building they found one student, **Manuel Mausiri** hiding in the toilet. He was reportedly beaten until he lost consciousness. Another student, **Natalino Peltrao** was briefly detained but released after Bishop Belo intervened with the military officer in charge. At least two other students, **Anatalina** and **Pedro da Costa** were detained the following day (15 November); the latter was reportedly beaten while under questioning.

Incidents in December 1989

On 10 December 1989 a young man named **Aleong**, apparently suspected of involvement in the demonstrations of October and November, was arrested by plain-clothes military officers in the park in front of Bishop Belo's residence. He was reportedly detained at the military headquarters (Koramil) in Dili, but it was not known whether he was formally charged or released after questioning.

Demonstrations by East Timorese students were also reported in December 1989. According to one report, a demonstration by East Timorese on 26 December resulted in a clash with security forces. Earlier in the year, the arrest of an East Timorese student in Bali, **Elias Pereira Moniz**, had led fellow activist students to seek refuge at diplomatic missions in Jakarta (See AI Index ASA 21/06/89). Elias Pereira Moniz was later released, apparently without charge, and the students who had sought asylum received assurances that they would not be arrested for their political activities. However, they have continued to express fear for their own safety and that of their families.

Demonstration at Hotel Turismo, January 1990

Several people were seriously injured on 17 January 1990 when Indonesian security forces dispersed an apparently peaceful pro-independence demonstration by East Timorese at the Hotel Turismo in Dili. At least six

people were reportedly detained and there were unconfirmed reports that one person had died of a bullet wound. Further arrests were made on the following day when an estimated 100 people demonstrated in front of the Governor's residence in Dili, demanding the release of the students.

The identity of the victims in the 17 January incident was not immediately known, but an eyewitness said that he saw a body, bloodied and limp, being put in a truck after the demonstration. Another person said that a young East Timorese man had been shot in the abdomen and died soon afterwards, but this report could not be confirmed. Diplomatic sources confirmed that at least three people were taken to hospital, two of them with serious head injuries. On hearing that the actions of the security forces had resulted in "some injuries", a US Embassy spokesperson said, "we sincerely regret this... In view of the peaceful nature of the demonstration the ambassador [had] asked that no one be arrested or detained."

According to reports, at least 100 East Timorese, most of them students, entered the Hotel Turismo, where the US ambassador to Indonesia, John Monjo, was staying during a visit, carrying banners asking for East Timor's independence. Eyewitnesses said a smaller group of protesters, who entered the hotel's beer garden displaying banners with messages in English such as "Independence or Dead", "Peace, Justice and Independence", were met by about 12 soldiers who "kicked, punched and beat them with rifle butts" and dragged at least one of them away. The main body of demonstrators soon left the hotel and gathered near the front entrance apparently to meet Ambassador Monjo.

The United States Ambassador spoke with the demonstrators for about one hour on the subject of human rights and East Timor's independence. The students reportedly called for UN intervention and outlined human rights violations in the territory, mentioning as an example that they were likely to be persecuted for joining that day's demonstration. As they spoke, government officials reportedly moved through the crowd noting names and taking photographs and video recordings of both demonstrators and bystanders. An eyewitness said that as Ambassador Monjo prepared to go, the students asked him to guarantee their safety because the hotel was by then completely surrounded by soldiers and police in riot gear. One eyewitness said that as soon as the Ambassador left "...riot police and soldiers charged into the demonstrators, beating them with batons and rifle butts." Some, he said, managed to escape but about 40 "were clubbed and beaten into a human pile against the hotel's iron fence." A second eyewitness said: "There were shoes scattered all over the road as well as blood... The students in the mound protected their heads from being beaten with their arms... I saw a body which appeared very limp thrown onto the back of a truck."

After several minutes, the demonstrators were permitted to stand. For a few minutes they stayed up against the fence praying; after some time many of them made their way toward Bishop Belo's residence. Many of them were covered with blood. A man in plainclothes reportedly dumped buckets of sand on the roadway to soak up pools of blood. According to one report a student with an abdominal wound sought refuge at the nearby office of the

International Committee of the Red Cross (ICRC). He was reportedly followed by soldiers who forced their way into the office to take him away. There were reports, which Amnesty International could not confirm, that the student died of a bullet wound.

Amnesty International's Concern

This report summarizes evidence of a pattern of short-term detention, torture or ill-treatment of suspected or alleged political opponents of Indonesian rule in East Timor. Suspects are typically held in police or military detention centres or safe-houses for periods ranging between a few hours and several weeks and subjected to physical and emotional abuse before being released without formal charge. A minority are held for longer periods but few are formally charged or tried.

Amnesty International believes that this pattern of detention and ill-treatment may serve to intimidate real or suspected political opponents of the government, however non-violent. It believes that many of those detained -- however briefly -- for their alleged part in pro-independence demonstrations since October, may have been, or may continue to be, prisoners of conscience, and it urges the Indonesian authorities to release promptly anyone held solely for their non-violent political activities or beliefs. It is concerned that, in view of the consistent and recurrent pattern of ill-treatment of political detainees in East Timor, those still in detention, and those arrested under similar circumstances in the near future, may be in serious danger of ill-treatment.

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APPENDIX A

PARTIAL LIST OF PERSONS DETAINED IN EAST TIMOR IN CONNECTION WITH PRO-INDEPENDENCE DEMONSTRATIONS -- OCTOBER 1989 TO JANUARY 1990

	Name	Arrest Date	Place of Detention
October Arrests			
1.	Amarho Carvalho	Oct 89	Unknown
2.	Clementino Faria	Oct 89	Unknown
3.	Guilherme Pereira	Oct 89	Unknown
4.	Francisco da Sousa	Oct 89	Unknown
5.	Alfredo de Jesus	Oct 89	Unknown
6.	Antonio Pereira Lopes	Oct 89	Unknown
November Arrests			
1.	Jose Minas	4 Nov 89	Nusra Bakti
2.	Jose ?	4 Nov 89	Nusra Bakti
3.	Antanasio	4 Nov 89	Nusra Bakti
4.	Antonio Castro	4 Nov 89	Nusra Bakti
5.	Jose Manuel Fernandos	5 Nov 89	Wisma Senopati II
6.	Donaciano da Costa Gomes (Adanu)	5 Nov 89	Wisma Senopati II
7.	Anatalina	15 Nov 89	Unknown
8.	Pedro da Costa	15 Nov 89	Unknown
December Arrests			
1.	Aleong	10 Dec 89	Koramil, Dili

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